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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,423	12/16/2003	Ivan C. King	873-Z-US	8783
7590 08/17/2009				
Albert Wai-Kit Chan ALBERT WAI-KIT CHAN, LLC 141-07 20th Avenue World Plaza, Suite 604 Whitestone, NY 11357				
EXAMINER				
LI QIAN JANICE				
ART UNIT		PAPER NUMBER		
1633				
MAIL DATE		DELIVERY MODE		
08/17/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* IVAN C. KING and ZHENG LI-MOU

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Application No. 10/738,423  
Technology Center 1700

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Mailed: August 17, 2009

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Before DEBORAH L. PERRY, *Supervisory Paralegal Specialist*.  
PERRY, *Supervisory Paralegal Specialist, Review Team*.

**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

This application was electronically received by the Board of Patent Appeals and Interferences on May 19, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on June 29, 2009. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly,  
it is ORDERED that the application is returned to the Examiner to:

- 1) issue a PTOL-90 acknowledging the consideration of the Reply Brief, filed June 29, 2009, as indicated above;
- 2) to take any further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/mev

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